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IDAHO LEGISLATURE

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FIFTY-EIGHTH LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 27, 2006

Senate Chamber

At the request of the President Pro Tempore, Acting President Darrington called the Senate to order at 11:15 a.m.

Roll call showed all members present except President Pro Tempore Geddes and Senators Andreason and Cameron, absent and formally excused by the Chair; and Senators Burkett, Marley, and Pearce, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Kylie Barrus, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 26, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Marley and Pearce were recorded present at this order of business.

January 27, 2006

The JUDICIARY AND RULES Committee reports that **S 1310**, **S 1311**, **S 1312**, and **S 1313** have been correctly printed.

DARRINGTON, Chairman

S 1310, **S 1311**, **S 1312**, and **S 1313** were referred to the Judiciary and Rules Committee.

January 26, 2006

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Donald Gross to the State Board of Health and Welfare, term to expire January 7, 2007.

COMPTON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 27, 2006

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Randolph J. Hill to the Idaho Energy Resources Authority, term to expire June 30, 2006;

Darrell Kerby to the Idaho Energy Resources Authority, term to expire June 30, 2007.

BURTENSHAW, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 24, 2006

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed and am transmitting to the Secretary of State the following signed Senate Bill, to wit:

S 1263

Sincerely,
/s/ Dirk Kempthorne
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 26, 2006

Mr. President:

I transmit herewith **H 440** which has passed the House.

JUKER, Chief Clerk

H 440 was filed for first reading.

January 27, 2006

Mr. President:

I transmit herewith Enrolled **H 403** for the signature of the President.

JUKER, Chief Clerk

The Acting President announced that Enrolled **H 403** will be held at the Secretary's desk for the signature of the President, and when so signed, will be returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1314

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE HEALTH CARE TASK FORCE; AMENDING SECTION 20, CHAPTER 472, LAWS OF 2000, AS AMENDED BY SECTION 1, CHAPTER 477, LAWS OF 2000, TO REVISE TERMINOLOGY AND TO INCREASE TASK FORCE MEMBERSHIP; AND AMENDING SECTION 21, CHAPTER 472, LAWS OF 2000, AS AMENDED BY SECTION 2, CHAPTER 477, LAWS OF 2000, TO REVISE TERMINOLOGY.

S 1315

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO COUNTIES; AMENDING SECTION 31-814, IDAHO CODE, TO REMOVE A CAP ON FUND BALANCES FOR INSURANCE ON COUNTY PROPERTY.

S 1316**BY EDUCATION COMMITTEE**

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 13, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO PROVIDE FOR QUALIFICATIONS FOR EDUCATIONAL INTERPRETERS, TO PROVIDE EXCEPTIONS, TO PROVIDE FOR CONTINUING TRAINING REQUIREMENTS, AND TO PROVIDE THE STATE BOARD OF EDUCATION WITH RULEMAKING AUTHORITY.

S 1317**BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO HORSE RACING; AMENDING SECTION 54-2508, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE LICENSE APPLICATION REQUIREMENTS FOR RACE MEETS, TO REVISE LICENSE SPECIFICATION PROVISIONS, TO PROVIDE FOR THE SIMULCAST PURSE MONEYS FUND, TO PROVIDE RULEMAKING AUTHORITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2512, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REVISE APPLICATION PROVISIONS FOR LICENSES AUTHORIZING SIMULCAST AND/OR TELEVISED RACES AND TO REVISE PROVISIONS RELATING TO ADVANCE DEPOSIT WAGERING; AND DECLARING AN EMERGENCY.

S 1314, S 1315, S 1316, and S 1317 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 440, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 409, by Appropriations Committee, was read the second time at length and filed for third reading.

S 1255 and S 1256, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 404 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burtenshaw, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 31.

NAYS--None.

Absent and excused--Andreason, Burkett, Cameron, Geddes. Total - 4.

Total - 35.

Whereupon the Acting President declared **H 404** passed, title was approved, and the bill ordered returned to the House.

S 1305 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burtenshaw, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 31.

NAYS--None.

Absent and excused--Andreason, Burkett, Cameron, Geddes. Total - 4.

Total - 35.

Whereupon the Acting President declared **S 1305** passed, title was approved, and the bill ordered transmitted to the House.

Senator Burkett was recorded present at this order of business.

S 1306 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Cameron, Geddes. Total - 3.

Total - 35.

Whereupon the Acting President declared **S 1306** passed, title was approved, and the bill ordered transmitted to the House.

S 1307 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Marley arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--None.

Absent and excused--Andreason, Cameron, Geddes. Total - 3.

Total - 35.

Whereupon the Acting President declared **S 1307** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Monday, January 30, 2006.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary